UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: JOHN ROBERT MARINO and : CHAPTER 13

DONNA MARIE MARINO

Debtor(s)

CHARLES J. DEHART, III

STANDING CHAPTER 13 TRUSTEE

Movant

vs.

JOHN ROBERT MARINO and

DONNA MARIE MARINO

Respondent(s) : CASE NO. 5-20-bk-03437

TRUSTEE'S OBJECTION TO CHAPTER 13 PLAN

AND NOW, this 11th day of January, 2021, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor(s)' plan for the following reason(s):

- 1. Debtor(s)' plan violates 11 U.S.C. Sec. 1325(a)(4) in that the value of property to be distributed under the plan on account of each allowed unsecured claim is less than the amount that would be paid on such claim if the estate were liquidated under Chapter 7.
 - 2. Debtor(s) not entitled to a discharge.
 - 3. The Trustee avers that debtor(s)' plan is not feasible based upon the following:
 - a. The plan is underfunded relative to claims to be paid 100% plan.

WHEREFORE, Trustee alleges and avers that debtor(s) plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.
- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

/s/Charles J. DeHart, III Standing Chapter 13 Trustee 8125 Adams Drive, Suite A Hummelstown, PA 17036 (717) 566-6097

CERTIFICATE OF SERVICE

AND NOW, this 20th day of January, 2021, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Harrisburg, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Tullio DeLuca, Esquire 381 N. 9th Avenue Scranton, PA 18504

/s/Deborah A. Behney
Office of Charles J. DeHart, III
Standing Chapter 13 Trustee2